

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
DIVISION

FILED

AUG 13 2004

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO

Alireza Bakhtiari (Mr.)

NAME OF THE PLAINTIFF OR PLAINTIFFS
(Enter above the full names of each
plaintiff in this action.)
- vs -

Case No.

Dean Ms. Dr. Paula M. Lutz, Dean of College
of Arts and Sciences, University of Missouri
- Rolla

4: 04CV01071 AGF

NAME OF THE DEFENDANT OR DEFENDANTS
(Enter above the full name of ALL
defendant(s) in this action. Fed.
R. Civ. P. 10(a) requires that the
caption of the complaint include
the name of all the parties. Please
attach additional sheets if
necessary.)

COMPLAINT UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

1. This action is brought pursuant to Title VII of the Civil Rights Act of 1964, as amended, for employment discrimination. Jurisdiction is specifically conferred on the Court by 42 U.S.C. § 2000e-5. Venue is proper in this district under 42 U.S.C. § 2000e-5(f)(3).

2. Plaintiff Alireza Bakhtiari
(name of plaintiff)

resides at: 7263 HWY 47, Union
(street address) (city)
Missouri, 63084
(state) (ZIP code)

Phone: (636) 584-4411

3. The defendant Dean Ms. Dr. Paula M. Lutz
(name of defendant)

is an employer, employment agency, or labor organization, as defined in 42 U.S.C. § 2000e, and lives at or its place of business is located at:

College of Art and Sciences, 1870 Miner Circle, 121 Fulton Hall, Rolla
(street address) (city)

Phelps, Missouri, 65409
(county) (state) (zip code)

NOTE: IF THERE IS MORE THAN ONE PERSON FILING THE COMPLAINT OR IF YOU ARE SUING MORE THAN ONE PERSON OR COMPANY, PLEASE ADD THE NAMES AND ADDRESSES OF THE ADDITIONAL PERSONS OR COMPANIES ON A SEPARATE SHEET OF PAPER. COPY THE LANGUAGE IN PARAGRAPHS 2 AND 3 FOR ADDITIONAL PLAINTIFFS OR DEFENDANTS.

4. The address at which plaintiff sought employment or was employed by the defendant(s) is: Chemistry Department, Univ. of Missouri
(street address) -Rolla

Rolla, Phelps, Missouri, 65409
(city) (county) (state) (zip code)

5. Defendant discriminated against the plaintiff in the manner indicated in paragraphs 9 and 10 of this complaint on or about: Jan. Feb. March. 2004.
(day) (month) (year)

6. Plaintiff filed charges against the defendant with the Missouri Commission on Human Rights, charging defendant with the acts of discrimination indicated in paragraphs 9 and 10 of this complaint, on or about 26 April 2004.
(day) (month) (year)

7. Plaintiff filed charges against the defendant with the Equal Employment Opportunity Commission, charging defendant with the acts of discrimination indicated in paragraphs 9 and 10 of this complaint, on or about 26 April 2004
(day) (month) (year)

8. The Equal Employment Opportunity Commission issued a Notice of Right to Sue Letter which was received by the plaintiff on 25 May 2004, a copy of which is attached to
(day) (month) (year)
this complaint.

9. The acts that I complain of in this suit, concern defendant's:

- (a) _____ failure to employ me.
 - (b) *** termination of my employment.
 - (c) _____ failure to promote me.
 - (d) _____ other acts (specify): _____
- _____
- _____
- _____

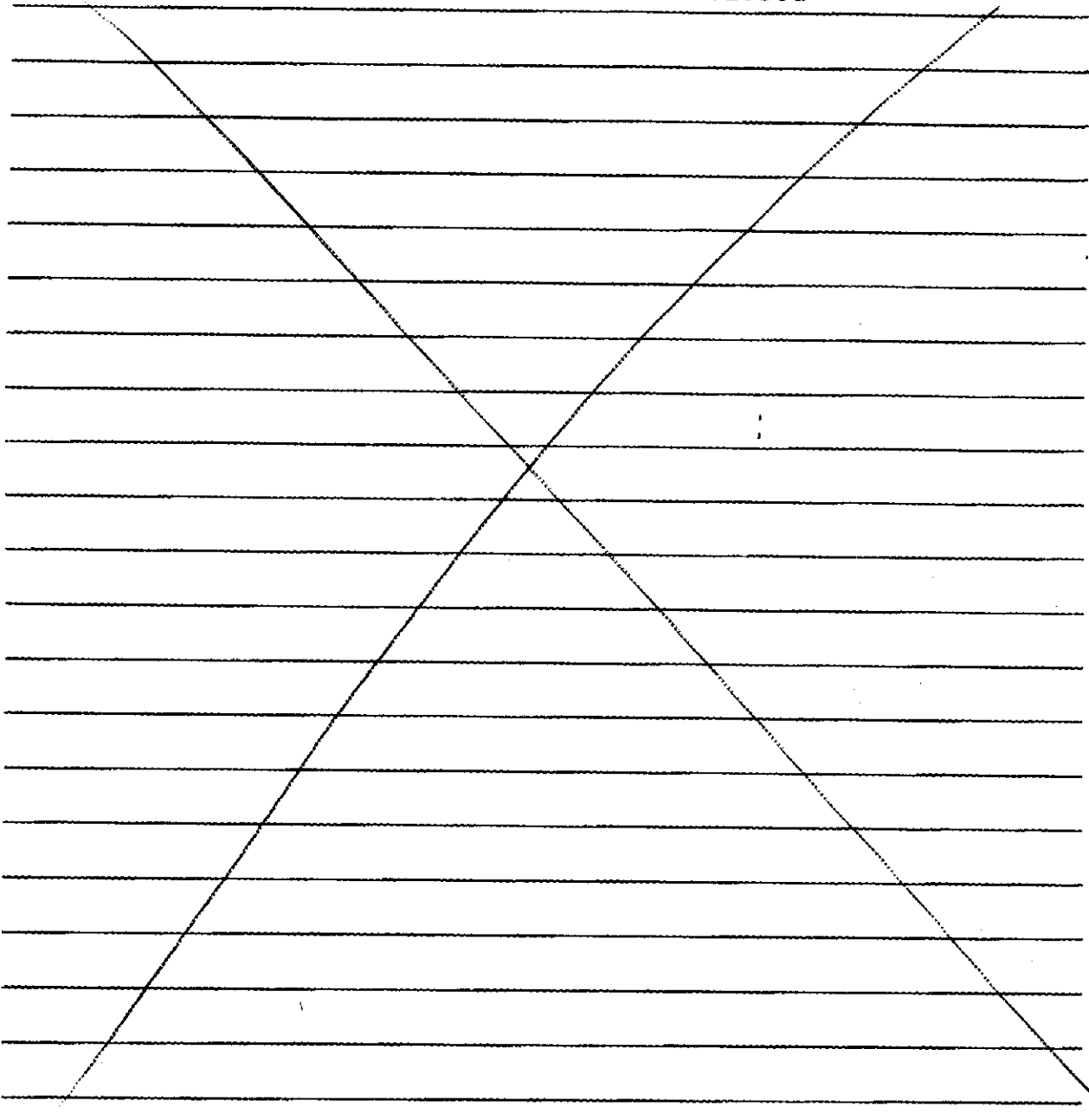
10. Defendant's action(s), as stated in paragraph 9, is discriminatory with respect to the following:

- (a) _____ my race.
- (b) _____ my religion.
- (c) _____ my sex.
- (d) _____ my national origin
- (f) *** other (specify)

Madam Dean's action of termination of my employment was a retaliatory action for my internal formal complaint made and insisted from August/02 through Jan/04, the time of my termination.

11. The circumstances under which defendant(s) discriminated against the plaintiff were as follows (Note: if you are suing more than one defendant, please complete this question with regard to each of the named defendants): _____

Please refer to the sheet enclosed



(Attach additional sheets as necessary.)

Attachment to page #4, Paragraph 11

I started my employment as a "part-time chemistry instructor-teaching assistant" on the campus of the University of Missouri-Rolla (UMR) at 10-Jan-04. This employment was defined and contracted to be for the length of my doctoral program and also was defined to be entangled with and included in my PhD program. Meaning, stopping one automatically stops the other. I can provide a variety of written agreements and facts, defining, binding and constituting the above contract and employment agreement, signed by both parties.

During my service in UMR, I excelled in the duties and responsibilities expected from me as a chemistry instructor.

At August-02 (beginning of the fall semester-02) I initiated a formal internal complaint on behalf of myself and a group of other PhD students about an utterly capricious behavior violating civil rights. The complaint went before Madam Dean Paula Lutz to be heard. Dean Lutz indulged her own office politics in that dispute from the start and refused to analyze the evidences we set forth and postponed the hearing about that dispute day after day for almost one and a half years. I insisted on that complaint asking for the hearings, which we were promised. Unfortunately, Dr. Lutz decided to put an end to that dispute by retaliating and wrongfully terminating my employment, which automatically as defined, terminated my doctoral program, for which I had spent two years of the best years of my life.

At 20-Jan-04, Dr. Sinn -Chairman of the Chemistry Department informed me of Dr. Lutz decision of terminating my employment. I immediately demanded for the "Procedures of Dismissal for Cause". The university obliges these procedures in the item 310.060 of the UM-handbook for dismissal of academic employees. Dr. Lutz refused to give me such rights. I stayed on the campus until 15-March-04, asking for the rights mentioned in the handbook (items 310.020 and 310.060) for my dismissal. In addition, I took this time to constantly remind Dr. Lutz of the terms and agreements of my employment but she refused all the above and after two months of effort for my rights, I decided to leave the campus, and I left at 15-March-04.

At 17-Feb-04, the UMR administration ordered the computer services department of UMR (UMR-IT) to freeze my IT account, which included my files and emails and my access to the university's network. This action happened at the middle of my enrollment on the campus, at the middle of semester, a time when I was enrolled and had paid for all the IT services above. UMR administration and Dr. Lutz took this inappropriate and illegal action to detain a series of evidences, which could be used against them, including my communications and correspondences with Dr. Lutz. My IT account included a series of correspondences from August-02 until 20-Jan-04, all my classified and categorized correspondences during my stay on the UMR campus. My IT account is still frozen and the UMR administration refuses to let me even reach my personal files in my IT account.

After leaving the UMR campus at 15-March-04, I contacted a few institutions and they approved of having positions for me analogous to the one I had in UMR. For enrolling and starting there, I needed to officially fill the enrollment paper-works, a process, which needed my official transcripts as a must. UMR administration refused to issue my transcripts and they said I had an outstanding balance of 4200\$ with them. I explained to them that this balance was created based on my employment agreements, breach of which changes the status if this balance, but they refused the explanations and by not issuing my official transcripts they banned me from further employment, and disabled me of pursuing my career further on.

Alison Babin 10-Aug-04

12. The acts set forth in paragraph 9 of this complaint are:

- (a) _____ still being committed by the defendant.
- (b) _____ are no longer being committed by the defendant.
- (c) *** _____ may still be being committed by the defendant.

13. Plaintiff attaches to this complaint a copy of the charges filed with the Equal Employment Opportunity Commission, and submits said charges as a brief statement of the facts supporting this complaint.

Wherefore, plaintiff prays for (state what relief is sought):

Please refer to the sheet enclosed

and such other relief as the Court would allow under Title VII of the Civil Rights Act of 1964, as amended.

Signed this 10 day of August, 2004.

Alireza Bakhtiari

Alireza Bakhtiari

Signature of Plaintiff(s)

Attachment to page #5, the relief sought:

I answered the invitation of the College of Arts and Sciences of UMR by sincerity, joined their academia, and served their expectations in teaching by honesty and excellence for the whole two years of my service. Retaliatory wrongful termination of my employment terminated my doctoral program and wasted the two years of my life spent on that program. By banning my further career, they added another year to the harms.

Harms mainly include totally wasting two years of my over-full-time efforts, and a fruitful industrial-academic career postponed for at least three years. For all the above I claim the College of Arts and Sciences of UMR, lead by Madam Dean Dr. Paula Lutz responsible to compensate me.

Signature of the plaintiff: Alireza Bakhtiari

10-Aug-04

Alireza Bakhtiari